



**U.S. House of Representatives**  
**Committee on Transportation and Infrastructure**

**James L. Oberstar**  
**Chairman**

**Washington, DC 20515**

March 17, 2009

**John L. Mica**  
**Ranking Republican Member**

David Heymsfeld, Chief of Staff  
Ward W. McCarragher, Chief Counsel

James W. Coon II, Republican Chief of Staff

The Honorable Calvin L. Scovel, III  
Inspector General  
U.S. Department of Transportation  
1200 New Jersey Avenue S.E.  
Washington, D.C. 20590

Dear Inspector General Scovel:

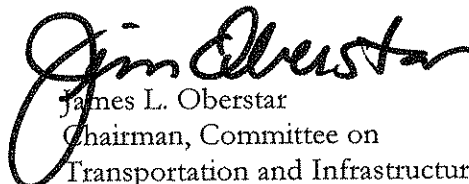
The Federal Aviation Administration ("FAA") is embarking on an urgently needed transformation of the Nation's air traffic system called the Next Generation Air Transportation System ("NextGen"). As part of this effort, the FAA is relying on an approach where the government will not own or operate key air traffic technologies. The FAA chose this approach in its contract award for a system that is expected to be the cornerstone of NextGen called Automatic Dependent Surveillance-Broadcast ("ADS-B"). We understand that the FAA may be considering this model for other large and important NextGen projects.


To ensure the safety of air traffic control systems, the FAA maintains a comprehensive certification program. However, we have been informed that the FAA recently made changes to this program to prohibit the FAA certification of systems and services unless they are owned or maintained by the FAA. We are concerned that these changes have the potential to reduce the FAA's visibility into the quality and performance of key systems. With regard to ADS-B, your office has also expressed similar concerns before the House Aviation Subcommittee that, "FAA could find itself in a situation where it knows very little about the system that is expected to be the cornerstone of NextGen."

Therefore, we request that your office conduct an assessment of: (1) recent changes to the FAA's certification program with regard to the FAA's overall responsibility for maintaining the safety and integrity of air traffic control systems; and (2) the implications of allowing the private sector to assume the responsibility for determining the operational suitability of systems under its control.

We appreciate your assistance on this important matter. Should you have any questions or need additional information, please contact Giles Giovinazzi, Democratic Senior Counsel on the Subcommittee on Aviation, at (202) 225-9161.

Sincerely,

  
James L. Oberstar  
Chairman, Committee on  
Transportation and Infrastructure

  
Jerry F. Costello  
Chairman  
Subcommittee on Aviation